

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SOUTHERN CALIFORNIA HEALTH CARE, INC.
d/b/a GOLDEN WEST GENERAL HOSPITAL AND
DOCTOR'S HOSPITAL OF HAWTHORNE

and

Case 31--CA--12227

HOSPITAL & SERVICE EMPLOYEES UNION,
LOCAL 399, AFFILIATED WITH SERVICE
EMPLOYEES INTERNATIONAL UNION, AFL--CIO

SUPPLEMENTAL DECISION AND ORDER

On 9 March 1983 the National Labor Relations Board issued an Order adopting, in the absence of any exceptions, the Decision and Order of the administrative law judge directing, inter alia, that Southern California Health Care Inc. d/b/a Golden West General Hospital and Doctor's Hospital of Hawthorne, the Respondent, take certain affirmative action to remedy the unfair labor practices found.¹ A controversy having arisen over the amount of moneys due under the Order, on 21 February 1984 the Regional Director for Region 31 issued and served on the Respondent a backpay specification and notice of hearing alleging the amount of union dues and initiation fees due. The Respondent did not file any answer thereto.

¹ The Board's Order is unpublished.

On 10 April 1984 the General Counsel filed directly with the Board a Motion for Summary Judgment. On 11 April 1984 the Board issued an order transferring the proceeding to the Board and a Notice to Show Cause why the motion should not be granted. The Respondent has not filed any response.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

Ruling on the Motion for Summary Judgment

Section 102.54 of the Board's Rules and Regulations, Series 8, as amended, provides:

(a) . . . The respondent shall, within 15 days from the service of the specification, if any, file an answer thereto. . . .

(c) . . . If the respondent fails to file any answer to the specification within the time prescribed by this section, the Board may, either with or without taking evidence in support of the allegations of the specification and without notice to respondent, find the specification to be true and enter such order as may be appropriate. . . .

The Respondent was duly served by certified mail 21 February 1984 and by personal service 15 March 1984 with the backpay specification and notice of hearing. The specification specifically advised the Respondent of the consequences of failing to answer pursuant to the above rules. The General Counsel so advised the Respondent again by letter 23 March 1984. Nevertheless, the Respondent never filed an answer to the specification. Nor has it filed a response to the Notice to Show Cause.

In accordance with the rules set forth above, therefore, the Board deems the Respondent to have admitted all allegations of the specification to be

true and that there are no matters in issue requiring a hearing. Accordingly, we grant the General Counsel's Motion for Summary Judgment.²

ORDER

The National Labor Relations Board hereby orders that the Respondent, Southern California Health Care, Inc., d/b/a Golden West General Hospital and Doctors Hospital of Hawthorne, Inglewood, California, its officers, agents, successors, and assigns, shall remit to Hospital & Service Employees Union, Local 399, affiliated with Service Employees International Union, AFL--CIO, the amount of \$3014.65 plus interest as computed in Florida Steel Corp., 231 NLRB 651 (1977).

Dated, Washington, D.C.

28 June 1984

Donald L. Dotson, Chairman

Don A. Zimmerman, Member

Robert P. Hunter, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

² In granting the General Counsel's Motion for Summary Judgment, Chairman Dotson specifically relies on the total failure of the Respondent to contest either the factual allegations or legal conclusions of the General Counsel. Thus, the Chairman regards this proceeding as being essentially a default judgment without precedential value.